

Sec. 3. Section 235B.6, subsection 2, paragraph e, Code 2009, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (14) To the Iowa veterans home for purposes of record checks of potential volunteers and volunteers in the Iowa veterans home.

Approved April 24, 2009

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## CHAPTER 94

### BOILERS AND PRESSURE VESSELS — INSPECTIONS — REGULATORY OVERSIGHT

H.F. 720

**AN ACT** relating to boiler and pressure vessel inspections and the boiler and pressure vessel board that oversees the inspections.

*Be It Enacted by the General Assembly of the State of Iowa:*

#### DIVISION I BOILER AND PRESSURE VESSEL INSPECTIONS

Section 1. Section 89.2, Code 2009, is amended by adding the following new subsection:  
NEW SUBSECTION. 5A. “Object” means a boiler or pressure vessel.

Sec. 2. Section 89.3, subsections 4 and 5, Code 2009, are amended by striking the subsections and inserting in lieu thereof the following:

4. a. An object that meets all of the following criteria shall be inspected at least once every two years internally and externally while not under pressure, and at least once every two years externally while under pressure, unless the commissioner determines that an earlier inspection is warranted.

(1) The object is a boiler with one hundred thousand pounds per hour or more capacity, or the object is an unfired steam pressure vessel or a regulated appurtenance that is part of the same system as a boiler with one hundred thousand pounds per hour or more capacity.

(2) The object contains only water subject to internal continuous water treatment under the direct supervision of a graduate engineer or chemist, or one having equivalent experience in the treatment of boiler water.

(3) The water treatment is for the purpose of controlling and limiting serious corrosion and other deteriorating factors.

b. The owner or user of an object meeting the criteria in paragraph “a” shall do the following:

(1) At any time the commissioner, a special inspector, or the supervisor of water treatment deems a hydrostatic test is necessary to determine the safety of an object, conduct the test under the supervision of the commissioner.

(2) Keep available for examination by the commissioner accurate records showing the date and actual time the object is out of service and the reason it is out of service.

(3) Keep available for examination by the commissioner chemical physical laboratory analyses of samples of the object water taken at regular intervals of not more than forty-eight hours of operation as will adequately show the condition of the water and any elements or characteristics of the water which are capable of producing corrosion or other deterioration of the object or its parts.

5. a. An object that meets the following criteria shall be inspected at least once each year externally while under pressure and at least once every four years internally while not under pressure, unless the commissioner determines an earlier inspection is warranted.

(1) The object is a boiler with one hundred thousand pounds per hour or more capacity, or the object is an unfired steam pressure vessel or a regulated appurtenance that is part of the same system as a boiler with one hundred thousand pounds per hour or more capacity.

(2) The object contains only water subject to internal continuous water treatment under the direct supervision of a graduate engineer or chemist, or one having equivalent experience in the treatment of boiler water.

(3) The water treatment is for the purpose of controlling and limiting serious corrosion and other deteriorating factors.

(4) The owner or user is a participant in good standing in the Iowa occupational safety and health voluntary protection program and have<sup>1</sup> achieved star status within the program, which is administered by the division of labor in the department of workforce development.

b. The owner or user of an object that meets the criteria in paragraph "a" shall do the following:

(1) At any time the commissioner, a special inspector, or the supervisor of the water treatment deems a hydrostatic test necessary to determine the safety of an object, conduct the test under the supervision of the commissioner.

(2) Keep available for examination by the commissioner accurate records showing the date and actual time the object is out of service and the reason it is out of service.

(3) Arrange for an internal inspection of the object during each planned outage by a special inspector or the commissioner.

(4) Keep for examination by the commissioner accurate records showing the chemical physical laboratory analyses of samples of the object's water taken at regular intervals of not more than forty-eight hours of operation adequate to show the condition of the water and any elements or characteristics of the water that are capable of producing corrosion or other deterioration of the object or its parts.

## DIVISION II BOILER AND PRESSURE VESSEL BOARD

Sec. 3. Section 89.14, subsection 2, Code 2009, is amended to read as follows:

2. The boiler and pressure vessel board is composed of nine members, ~~one of whom shall be the as follows:~~

a. The commissioner or the commissioner's designee.

b. The remaining following eight members who shall be appointed by the governor, subject to confirmation by the senate, to four-year staggered terms beginning and ending as provided in section 69.19.

(1) One member shall be a special inspector who is employed by an insurance company that is licensed and actively writing boiler and machinery insurance in this state and who is commissioned to inspect boiler and pressure vessels in this state, two members.

(2) One member shall be appointed from a certified employee organizations, one of whom organization and shall represent steamfitters, two.

(3) One member shall be appointed from a certified employee organization and shall represent boilermakers.

(4) Two members shall be mechanical engineers who regularly practice in the area of boilers and pressure vessels, one.

(5) One member shall be a boiler and pressure vessel distributor in this state, one.

(6) One member shall represent boiler and pressure vessel manufacturers, and one.

(7) One member shall be a mechanical contractor engaged in the business of installation, renovation, and repair of boilers and pressure vessels.

Approved April 24, 2009

<sup>1</sup> See chapter 179, §34 herein

**CHAPTER 95****SOYBEAN AND CORN PROMOTION ORGANIZATIONS  
— BOARDS OF DIRECTORS***S.F. 342*

**AN ACT** relating to boards of directors associated with organizations promoting soybeans and corn.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 185.13, subsection 2, Code 2009, is amended to read as follows:

2. Acquire and establish offices, issue negotiable instruments, incur expenses, and enter into any contracts or agreements necessary to carry out the purposes of this chapter.

Sec. 2. Section 185C.13, subsection 2, Code 2009, is amended to read as follows:

2. ~~Establish~~ Acquire and establish offices, issue negotiable instruments, incur expenses, and enter into any contracts or agreements necessary to carry out the purposes of this chapter.

Sec. 3. Section 185C.14, Code 2009, is amended to read as follows:

185C.14 PER DIEM AND EXPENSES.

Each member director of the board shall receive a per diem as specified in section 7E.6 of one hundred dollars and actual expenses in performing official board functions ~~not to exceed forty days per year, notwithstanding section 7E.6.~~ No member A director of the board shall not be a salaried employee of the board or any organization or agency which is receiving funds from the board. The board shall meet at least once every three months, and at such other times as deemed necessary by the board.

Approved April 27, 2009

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**CHAPTER 96****CIVIL RIGHTS AND EMPLOYMENT PRACTICES  
— WAGE DISCRIMINATION***S.F. 137*

**AN ACT** providing that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 216.2, subsection 15, Code 2009, is amended to read as follows:

15. “Unfair practice” or “discriminatory practice” means those practices specified as unfair or discriminatory in sections 216.6, 216.6A, 216.7, 216.8, 216.8A, 216.9, 216.10, 216.11, and 216.11A.

Sec. 2. NEW SECTION. 216.6A ADDITIONAL UNFAIR OR DISCRIMINATORY PRACTICE — WAGE DISCRIMINATION IN EMPLOYMENT.

1. a. The general assembly finds that the practice of discriminating against any employee because of the age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability of such employee by paying wages to such employee at a rate less than the rate paid to other employees does all of the following: